

**Wednesday, February 16, 2005     7:45 P.M.**  
**Public Meeting Room 206**  
**Darien Town Hall, 2 Renshaw Road**  
**Darien, Connecticut**

**PUBLIC HEARINGS**

**CALENDAR NO. 5-2005**

The application of Jeff Scofield filed on January 19, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a second and attic story addition. Section 406: 25.6 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the south side of the Tower Drive cul-de-sac approximately 1000 feet east of the intersection of Tower Drive and Mansfield Avenue and is shown on Tax Assessor's Map #1 as Lot #130, being 39 Tower Drive and located in an R-2 (residential) Zone.

**CALENDAR NO. 6-2005**

The application of William W. Seymour & Assoc. P.C. on behalf of Pamela A. Makszin filed on January 19, 2005 for an interpretation of Section 385 and variations of Sections 334, 406, and 906.3a of the Darien Zoning Regulations to allow the construction of a replacement two story dwelling with front steps and parking area; and to allow the existing shed to remain. Section 385: a determination that the subject lot is a legal nonconforming building lot with 7,891 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a building lot with 75.4 in lieu of 150.0 feet minimum required lot width, and 108.0 in lieu of 150.0 feet minimum required lot depth; Section 406: 56.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Pear Tree Point Road, and 18.0 in lieu of 40.0 feet minimum required rear yard setback for the dwelling; 52.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Pear Tree Point Road for the front steps; 4.8 in lieu of 25.0 feet minimum required side yard setback, and 7.1 in lieu of 40.0 feet minimum required rear yard setback for the shed; and Section 906.3a: the development of required off-street parking 2.0 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the west side of Pear Tree Point Road approximately 500 feet south of the north intersection of Pear Tree Point Road and Long Neck Point Road and is shown on Tax Assessor's Map #60 as Lot #55, being 35 Pear Tree Point Road and located in an R-1 (residential) Zone.

**CALENDAR NO. 7-2005**

The application of William W. Seymour & Assoc. P.C. on behalf of Guillermo & Susan Suarez filed on January 19, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a two story addition and second floor dormers. Section 406: 22.8 in lieu of 30.0 feet minimum required front yard setback, and 37.8 in lieu of 55.0 feet minimum required front setback as measured from the centerline of Catalpa Terrace for the addition; 18.8 in lieu of 30.0 feet minimum required front yard setback, and 33.8 in lieu of 55.0 feet minimum required front setback as measured from the centerline of Catalpa Terrace for the dormers. The property is situated on the east side of Catalpa Terrace at the southeast corner formed by the intersection of Catalpa Terrace and Boston Post Road and is shown on Tax Assessor's Map #54 as Lots #6 and 7, being 12 Catalpa Terrace and located in an R-1/3 (residential) or Zone.

#### CALENDAR NO. 8-2005

The application of Douglas C. Curtis, Jr. filed on January 19, 2005 for variations of Sections 334 and 406 of the Darien Zoning Regulations to allow the construction of two story and second story additions with HVAC equipment. Section 334: construction on a building lot with 73.0 in lieu of 150.0 feet minimum required lot width, and 73.0 in lieu of 150.0 feet minimum required lot depth; Section 406: 37.4 in lieu of 40.0 feet minimum required front yard setback, 40.4 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Clocks Lane, 5.2 in lieu of 25.0 feet minimum required north side yard setback, 5.1 in lieu of 40.0 feet minimum required rear yard setback, and 23.2 in lieu of 25.0 feet minimum required south side yard setback for the additions; 5.1 in lieu of 40.0 feet minimum required rear yard setback for the HVAC equipment; and construction of additional building volume on a lot with 23.94 in lieu of 20.0% maximum allowable building coverage. The property is situated on the east side of Clocks Lane at the northeast corner formed by the intersection of Clocks Lane and Wild Rose Lane and is shown on Tax Assessor's Map #64 as Lot #62, being 10 Clocks Lane and located in an R-1 (residential) Zone.

#### CALENDAR NO. 9-2005

The application of John & Dale O'Brien filed on January 19, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a replacement two and one-half story residence with a front landing and steps. Section 406: 39.0 in lieu of 50.0 feet minimum required front yard setback, and 59.0 in lieu of 75.0 feet minimum required front yard setback as measured from the centerline of Brookside Road for the replacement residence; 36.0 in lieu of 50.0 feet minimum required front yard setback, and 56.0 in lieu of 75.0 feet minimum required front yard setback as measured from the centerline of Brookside Road for the landing and steps. The property is situated on the east side of Brookside Road approximately 300 feet south of the intersection of Brookside Road and Stephen Mather Road and is shown on Tax

Assessor's Map #1 as Lot #63, being 394 Brookside Road and located in an R-2 (residential) Zone.

#### CALENDAR NO. 11-2005

The application of Rucci, Burnham, Carta & Edelberg, LLP on behalf of Steven & Georgina Black filed on January 19, 2005 for a variation of Section 406 of the Darien Zoning Regulations to allow the existing pool/spa to remain. Section 406: 18.0 in lieu of 40.0 feet minimum required rear yard setback from the proposed Parcel 2 south property line. The property is situated on the east side of Pear Tree Point Road approximately 1500 feet south of the intersection of Long Neck Point Road and Pear Tree Point Road and is shown on Tax Assessor's Map #61 as Lots #10 and 10-2, being 209 Long Neck Point Road and located in an R-1 (residential) Zone.

#### GENERAL MEETING

**This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their legal responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.**

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above.
2. Requested extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 7-2004, Frank & Lois Zabrocky, 67 Hoyt Street. The Public Hearing of this matter was February 25, 2004. Initial ZBA approval would have expired on September 11, 2004. Following an August 24, 2004 request, on September 22, 2004 the ZBA granted a six month extension to March 11, 2005.
3. Requested amendment to the approved plans of Calendar No. 57-2004, John & Laurie Orem, 43 Noroton Avenue.
4. General discussion of Application Materials.
5. Any other business (requires 2/3 vote of members present and voting).